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C O N F I D E N T I A L SECTION 01 OF 02 BAGHDAD 002689

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TAGS: [PGOV](#) [IZ](#)
SUBJECT: ARTICLE 140 MEMBERS TO ATTEND FIRST HIGH COMMITTEE
MEETING IN MONTHS

Classified By: Political Counselor Matt Tueller for Reasons 1.4 (b,d)

This is a joint Kirkuk Provincial Reconstruction Team
(PRT)/Embassy Baghdad message.

¶1. (C) Summary and comment: The Article 140 Committee will meet for the first time in six months on August 13. Its newly appointed Chairman, Minister of Science and Technology Raid Jahid Fahmi, plans to concentrate on administrative processes to make progress on implementation, leaving the divisive political issues - for now - to Iraq's leadership and the people affected. Kirkuk-based Article 140 committee members also plan to focus primarily on administrative issues in the near term, particularly normalization-related procedures on compensation, wafadeen transfers and property disputes. Given that this is the first full committee meeting since February, Post expects participants will use it to share information and plan for the next meeting rather than make breakthrough progress on seminal issues such as disputed borders, a census and referendum modalities. At the same time, the newly active committee presents an opportunity to re-energize Article 140 implementation at a time when Kurds are using their frustration with a lack of Article 140 movement to impede progress on other key Iraqi issues such as the oil law and constitutional review. End Summary and Comment.

New Chairman Appointed;
Meeting Called for August 13

¶2. (C) Minister of Science and Technology Raid Jahid Fahmi (Sunni, Communist Party/Iraqiyya Party) told us August 6 that the Council of Ministers unanimously approved his nomination to head the Article 140 Committee (Note: the previous chairman resigned in March and the committee as a whole has not met since then. End Note). Fahmi said his principal goal is to separate the Committee's administrative work from political issues, which must be resolved by Iraq's leadership and the people affected. He has been meeting with representatives from the Turkmen, Kurdish, and Arab communities based in Baghdad to hear their concerns. He intends to travel to Kirkuk in the near future and identified as an immediate priority the need to determine what is preventing compensation payments to those Arabs who qualify under the decrees approved by the Council of Ministers in March.

¶3. (C) He acknowledged that the only active members of the Article 140 Committee in Baghdad have been the Kurdish representatives and that because of this, the Committee's actions and legitimacy are questioned. For this reason, he said, he has reached out to the other members and encouraged them to reengage in the process. Fahmi has called for a full Committee meeting on August 13, the first such meeting in

several months. He said the PM had authorized him to name new members to the Committee, but Fahmi first wants to give the current members a chance to resume full participation. With respect to the United Nations, Fahmi said he would welcome technical assistance but cautioned against "internationalizing" Kirkuk and Article 140.

¶4. (C) When asked about disputed territories in Ninewa and Diyala provinces, Fahmi said he wants the Committee to focus on Kirkuk and will recommend that boundary issues in the disputed territories be resolved after Kirkuk. On the referendum's timing, he agreed that the December deadline stipulated in the constitution is not feasible. He noted, however, the "biggest problem" in resolving Kirkuk stems from a lack of trust between all parties. The Kurds, he said, do not believe the GOI has made a good faith effort to implement Article 140 and will therefore not agree publicly to a delay until clear progress is made on compensation requests, property disputes, and a census.

Kirkuk-Based Committee Members Attending Committee
Meeting Have Varying Priorities/Expectations

¶5. (C) Asked about his aims for the August 13 Article 140 committee meeting, Tahseen Kahiya (Kirkuk Provincial Council member, Shia Turkman) told us August 5 that his priorities involved improving normalization processes and settling the boundary issue. On normalization, he wants better clarification on the transfer of identity and registration of the wafadeen (i.e., Arabs moved to Kirkuk under Saddam-era Arabization programs), particularly in terms of facilitating

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the movement of wafadeen to their receiving provinces. He suggested that a decree from the Prime Minister ordering receiving provinces to assist wafadeen and/or establishing "welcome committees" in those provinces would be good steps. Kahiya noted another normalization priority as ensuring the timely and fair distribution of compensation to returnees, including perhaps establishing a sub-committee to facilitate payments and coordinate with the Ministry of Finance. He said he plans to bring the first tranche of 300 complete and vetted wafadeen applications to the August 13 meeting in Baghdad to the committee for compensation. He was skeptical, however, that he would have the opportunity to present them at this first meeting in six months and thought it might have to wait for the next scheduled meeting. Kahiya also complained that something needed to be done about the current displaced Kurds living at the Kirkuk stadium.

¶6. (C) Babakir Sadiq (Kirkuk Provincial Council, Kurd PUK) outlined a different priority -- solving land disputes. He said he is frustrated with what he perceives as the slow progress of the Committee for the Resolution of Real Property Disputes (CRRPD). He told us August 5 that he would recommend that the Committee ask the Council of Representatives (CoR) to rescind nine property-related Revolutionary Command Council (RCC) decisions to speed up the return of land to its rightful owners. Sadiq would also like to see disputed boundaries resolved. He said he hoped the new Chairman would be active in establishing direct contact with the Prime Minister to spur progress on Article 140 implementation.

¶7. (C) Like Tahseen Kahiya, Mohammed Khalil (Kirkuk Provincial Council member, Sunni Arab) said August 7 that he wanted to use the meeting to discuss improving normalization processes, particularly moving ahead on compensation and fixing glitches in the transfer of wafadeen. He mentioned cases where, for instance, a wafadeen patriarch applied for transfer but his sons and their families did not want to return. However, because the sons were listed in the patriarch's identity documents, they were included on the

transfer nevertheless. Khalil also recommended that the transfer of ration cards take place last in the process to avoid having ration cards moved to the original province before the wafadeen have completed normalization and physically moved back.

¶8. (U) Bio Note: Minister of Science and Technology Raid Jahid Fahmi (Sunni - Communist Party/Iraqqiya) was appointed Chairman of the Article 140 Committee on July 31, 2007 by the Prime Minister. According to his biography, he was born October 15, 1950 in Baghdad. Fahmi graduated from London University with a bachelor's and master's in economics in ¶1977. From 1977 to 1979, he worked as a lecturer at Mustansiriyah University in Baghdad and as an economic research assistant at the Iraqi Ministry of Trade. From 1979 to 1983, he held several positions in Kuwait, including teaching at Kuwait University and working at the Industrial Bank of Kuwait. Following his PhD in economics at the Sorbonne in 1984, he worked at several French companies until ¶1990. From 1990 to 2005, he taught economics and management in French institutes. He became Iraqi Minister of Science and Technology in 2006. Published in several languages, he speaks English, French and Arabic. He is married with four children.

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